



*ifw*

PATENT  
Customer No. 22,852  
Attorney Docket No. 7675.0001-04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Christer OWMAN	)	Group Art Unit: 1647
	)	
Serial No.: 10/799,736	)	Examiner: Robert S. Landsman
	)	
Filed: March 15, 2004	)	
	)	Confirmation No.: 9982
For: HEPTAHELIX RECEPTOR AND	)	
ITS USE AS LEUKOTRIENE B4	)	
RECEPTOR	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated September 13, 2006, the Examiner required restriction under 35 U.S.C. § 121 between:

- Group I      Claims 16 and 38-42, drawn to a heptahelix receptor; and
- Group II     Claims 43-51, drawn to a method of assaying for receptor ligands.

Applicant provisionally elects to prosecute Group I, claims 16 and 38-42 drawn to a heptahelix receptor, with traverse.

Applicant submits that there would be no undue burden in examining Groups I and II together. Applicant respectfully submits that the Office has already searched, and allowed, all of the pending claims. The claims in the instant application were

amended by Preliminary Amendment to conform with the claims in the parent application at the time of its allowance by Examiner Landsman.<sup>1</sup>

M.P.E.P. § 803 states: "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." Applicant submits that there would be no undue burden in examining all of the claims because they have already been searched and allowed. Accordingly, applicant respectfully requests reconsideration of the requirement.


Applicant further submits that should the Office not withdraw the restriction requirement, the claims of Group II are related to the product claims in Group I as a process of using, and the Office should therefore consider rejoining claims 43-51 upon allowance of the elected claims in accordance with current examination practice.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 12, 2006

By:   
Kenneth J. Meyers  
Reg. No. 25,146  
Phone: 202-408-4033  
Fax: 202-408-4400  
Email: ken.meyers@finnegan.com

---

<sup>1</sup> Applicant notes that Replacement Drawings were filed in the instant case. These drawings were not available for filing in the parent application, which subsequently went abandoned.